

1 JAMES S. THOMSON  
2 California SBN 79658  
3 Attorney and Counselor at Law  
4 732 Addison Street, Suite A  
5 Berkeley, California 94710  
6 Telephone: (510) 525-9123  
7 Facsimile: (510) 525-9124  
8 Email: james@ycbtal.net

9  
10 TIMOTHY J. FOLEY  
11 California SBN 111558  
12 Attorney at Law  
13 1017 L Street, Number 348  
14 Sacramento, California 95814  
15 Telephone: (916) 599-3501  
16 Email: tfoley9@earthlink.net

17 Attorneys for Defendant  
18 JUSTIN GRAY

19 IN THE UNITED STATES DISTRICT COURT  
20 FOR THE EASTERN DISTRICT OF CALIFORNIA

21  
22 UNITED STATES OF AMERICA,                   )     **Case No. 1:20-cr-00238-JLT-SKO**  
23    Plaintiff,                                    )  
24    vs.    )  
25    JUSTIN GRAY, et al.                        )  
26    Defendants.                                    )  
27

28 Trial for Justin Gray, charged in the Fourth Superseding Indictment with two  
counts under 18 U.S.C. 1959(a)(1), is currently set for January 27, 2026.<sup>1</sup> Due to the  
circumstances discussed in the Declaration of Counsel in Support of Stipulation and  
Proposed Order for Continuance, Resetting of Trial Date, and Pretrial Schedule for Justin  
Gray, counsel for Mr. Gray and the Assistant United States Attorney have consulted and

29  
30    

---

  
31    <sup>1</sup> Mr. Gray's trial was previously severed from the other defendants. Doc #1340.  
32 Of the ten additional defendants named in the Third Superseding Indictment (Doc #1098),  
33 three (Stinson, Johnson, and Clement) were convicted after a trial in January and  
34 February of this year; three (Bash, Smith, and Bannick) have pled guilty. The trial of the  
35 remaining four defendants (Weaver, Pitchford, Collins, and Perkins) and newly added  
36 Van Beusekom is set for April 21, 2026. Doc #1857.

1 propose the following trial date and schedule for pretrial activities. The parties request  
2 that the January 27, 2026 trial date, and the previous scheduling order be vacated.

3 Proposed schedule:

4 **I. TRIAL DATE.**

5 Counsel requests the trial be set for August 18, 2026.

6 Counsel stipulate that time is to be excluded under the Speedy Trial Act in that  
7 good cause exists and that the ends of justice outweigh the interest of the public and the  
8 defendant in a speedy trial.

9 **II. SCHEDULING ORDER.**

10 A. Recordings/transcripts to be offered in the government case-in-chief:

11 1. For recordings/transcripts already produced: 75 days before trial.

12 2. For recordings/transcripts not yet produced:

13 a. Under a protective order restricting access only to the  
14 attorneys/defense team: 70 days before trial.

15 b. Access by Mr. Gray: 45 days before trial.

16 B. Disclosure of government experts:

17 1. Formal Rule 16 notice: 75 days before trial.

18 C. Notice of any uncharged misconduct evidence that the government intends  
19 to use, as required by Fed. R. Evid. 404(b): 90 days before trial.

20 D. Statements the government intends to offer under Fed. R. Evid.

21 801(d)(2)(E):

22 1. Under a protective order restricting access only to the  
23 attorneys/defense team: 70 days before trial.

24 2. Access by Mr. Gray: 45 days before trial.

25 E. Any Jencks Act/Giglio materials:

26 1. Under a protective order restricting access only to the  
27 attorneys/defense team: 70 days before trial.

28 2. Access by Mr. Gray: 45 days before trial.

- 1 F. Witnesses to be called by the Government in its case-in-chief:

2     1. Informal preliminary witness list: 70 days before trial.

3     2. Finalized witness list: 45 days before trial.

4     3. Any modifications to the finalized witness list to account for the  
5         information contained in the defendant's lists: 15 days before trial.

6 G. Exhibits to be introduced by the government in its case-in-chief:

7     1. Informal preliminary exhibit list: 60 days before trial.

8     2. Finalized exhibit list: 45 days before trial.

9 H. Jointly proposed juror questionnaire: 75 days before trial.

10 I. Daubert Motions:

11     1. Defense: 45 days before trial.

12     2. Government: 30 days before trial.

13 J. Substantive non-Daubert Motions: 45 days before trial.

14 K. Motions in limine:

15     1. Filing: 45 days before trial.

16     2. Opposition: 30 days before trial.

17     3. Hearing: July 27, 2026

18 L. Proposed voir dire questions, jury instructions, and verdict forms for both  
19         parties: 30 days before trial.

20 M. Defense witness and exhibit lists: 30 days before trial.

21 N. Defense experts:

22     1. Informal notification, along with topics upon which the witness will  
23         testify: 60 days before trial.

24     2. Formal Rule 16 notice: 45 days before trial.

25 O. Government's Proposed Protective order to be produced to the defense: at  
26         least 90 days before trial.

1 Dated: October 31, 2025

/s/ *James S. Thomson*

2 /s/ *Timothy J. Foley*

3 JAMES J. THOMSON  
4 TIMOTHY J. FOLEY  
Attorneys for JUSTIN GRAY

5 Dated: October 31, 2025

6 ERIC GRANT  
United States Attorney

7 /s/ *Stephanie M. Stokman*

8 STEPHANIE M. STOKMAN  
Assistant United States Attorney

9

10 **[PROPOSED] ORDER**

11 GOOD CAUSE APPEARING, and after consideration of all the circumstances  
12 and the Declaration of Counsel in Support of Stipulation and Proposed Order for  
13 Continuance, Resetting of Trial Date, and Pretrial Schedule for Justin Gray;

- 14 (1) The trial date of January 27, 2026, and previous scheduling order are  
15 vacated.
- 16 (2) Trial in this matter will be set for August 18, 2026, and the schedule set  
17 forth in the stipulation is adopted.
- 18 (3) Time is to be excluded until August 18, 2026, under the Speedy Trial Act in  
19 that good cause exists and the ends of justice outweigh the interest of the  
20 public and the defendant in a speedy trial.

21 IT IS SO ORDERED.

22

23 Dated: October 31, 2025

*Jennifer L. Thurston*  
24 JENNIFER L. THURSTON  
United States District Judge